

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and

THE HON'BLE SRI JUSTICE M.NARAYANA REDDY

WRIT PETITION No. 6086 of 2002

Between:

T.Damayanthi W/o.T.Gurudatta Reddy
R/o.Plot.No.1292 Road.No.65,Jubilee Hills
Hyderabad.

..... PETITIONER

AND

1. The Government of A.P Rep. by its Principal Secretary to Revenue, Secretariat, Hyderabad.
2. The Special Officer & Competent Authority
Urban Land Ceiling Hyderabad.
3. The Commissioner, Municipal Corporation of Hyderabad
Tank Bund, Hyderabad.
4. The Asst. City Planner Circle V
MCH Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ or Order or Direction more particularly one in the nature of Writ of Mandamus for declaration that the petitioner is entitled to sanction of building plan as per plan submitted to Commissioner, Municipal Corporation of Hyderabad in respect of petitioner Plot.No.811 in an area of 1224 Sq. mtrs. in Sy.No.120 (Old 403/1) of Shaikpet Village, Hyderabad situated in the approved layout of the Jubilee Hills Coop. House Building Society Ltd., and also in view of receipt of sum of Rs.49,978 and also entitled to construct the building even without formal communication of said sanction by the Municipal Corporation of Hyderabad to the

petitioner as per deemed permission and set aside the letter No.164/Open/8/2001, dt.05-01-2002 issued by the Asst. City Planner, MCH and notice issued by second respondent i.e., The Special Officer & Competent Authority, Urban Land Ceilings, Hyderabad vide Procs.No.E2/140-/CC/2002, dt.28-02-2002 and consequently direct the respondents not to interfere in the peaceful possession and enjoyment of the petitioners property bearing No.811 in an area of 1224 Sq. mtrs in Sy.No.120 (Old 403/1) of Shaikpet Village,Hyderabad situated in the approved layout of the Jubilee Hills Coop. House Building Society Ltd., including the construction thereof and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: Mr. C.HANUMANTHA RAO

Counsel for the Respondents 1 & 2: GP FOR REVENUE

Counsel for Respondents 3 & 4: Smt. G.Jyothi Kiran,

SC for M.C.H.

The Court made the following :

ORAL ORDER:

(per The Honourable Sri Devinder Gupta, the Chief Justice)

In view of the letter circulated by the learned counsel for the petitioner that the petitioner would like to withdraw the Writ Petition, the Writ Petition is dismissed as withdrawn. No costs.

DEVINDER GUPTA, C.J.

2.12.2004.

M.NARAYANA REDDY, J.

VR.

To

1. The Principal Secretary to Government of A.P. Revenue Department, Secretariat, Hyderabad.
2. The Special Officer & Competent Authority
Urban Land Ceiling Hyderabad.
3. The Commissioner, Municipal Corporation of Hyderabad
Tank Bund, Hyderabad.
4. The Asst. City Planner Circle V
MCH Hyderabad.
5. Two CCs to Government Pleader for Revenue, High Court Buildings, Hyderabad (OUT).
6. Two CD copies.